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7
8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-422*

13 **SUSAN RIDGELY ICHIKAWA**
14 **AKA SUSAN RIDGELY STALLINGS**
15 **AKA SUSAN SVENDSGAARD**
16 **5790 Rivera Road**
17 **Vacaville, CA 95688**

A C C U S A T I O N

18 **Registered Nurse License No. 257859**

19 Respondent.

20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant), brings this Accusation solely in her
23 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
24 Department of Consumer Affairs.

25 2. On or about July 31, 1975, the Board issued Registered Nurse License Number
26 257859 to Susan Ridgely Ichikawa, aka Susan Ridgely Stallings, aka Susan Svendsgaard
27 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
28 the charges brought herein and will expire on April 30, 2013, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board under the authority of the following
laws. All section references are to the Business and Professions Code (Code) unless otherwise

1 indicated.

2 4. Code section 2750 provides, in pertinent part, that the Board may discipline any
3 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
4 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
6 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
7 to render a decision imposing discipline on the license.

8 STATUTORY PROVISIONS

9 6. Code section 490 provides, in pertinent part, that a board may suspend or revoke a
10 license on the ground that the licensee has been convicted of a crime substantially related to the
11 qualifications, functions, or duties of the business or profession for which the license was issued.

12 7. Code section 2761 states:

13 "The board may take disciplinary action against a certified or licensed nurse or deny an
14 application for a certificate or license for any of the following:

15 ...

16 "(f) Conviction of a felony or of any offense substantially related to the qualifications,
17 functions, and duties of a registered nurse, in which event the record of the conviction shall be
18 conclusive evidence thereof."

19 8. Code section 2762 states:

20 "In addition to other acts constituting unprofessional conduct within the meaning of this
21 chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this
22 chapter to do any of the following:

23 ...

24 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
25 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
26 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
27 himself or herself, any other person, or the public or to the extent that such use impairs his or her
28 ability to conduct with safety to the public the practice authorized by his or her license.

1 "(c) Be convicted of a criminal offense involving the prescription, consumption, or
2 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
3 or the possession of, or falsification of a record pertaining to, the substances described in
4 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
5 thereof."

6 COST RECOVERY

7 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licensee found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case, with failure of the licensee to comply subjecting the license to not being
11 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
12 included in a stipulated settlement.

13 FACTUAL BACKGROUND

14 10. On or about November 2, 2004, in Lake County Superior Court, Case Number
15 CR902249, Respondent was convicted of having violated Vehicle Code sections 23103.5 (alcohol
16 related reckless driving). Respondent was sentenced to three years probation, ordered to pay fees,
17 and ordered to attend a DUI education program.

18 11. On or about October 11, 2011, in Solano County Superior Court, Case Number
19 FCR281751, Respondent was convicted of having violated Penal Code sections 246.3
20 (discharging firearm in grossly negligent manner), a felony, and 597(a) (cruelty to animals), a
21 felony. On or about January 5, 2012, imposition of sentence was suspended in favor of three
22 years probation. Respondent was ordered to, among other things, complete an outpatient
23 residential treatment program, abstain from using alcohol and illegal drugs, and not own or
24 possess firearms, weapons, and ammunition. The conviction arose from Respondent's arrest on
25 or about, December 16, 2010, after Respondent, while under the influence of alcohol, shot the
26 family dog in the head while it slept inches away from Respondent's husband.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Criminal Conviction of Substantially Related Crime)

3 12. Respondent is subject to disciplinary action under Code sections 490 and 2761(f), in
4 that Respondent was convicted of substantially related crimes that are substantially related to the
5 qualifications, functions, or duties as a Registered Nurse, as described in paragraphs 10 and 11,
6 above.

7 SECOND CAUSE FOR DISCIPLINE

8 (Dangerous/Injurious Use of Alcohol)

9 13. Respondent is subject to disciplinary action under Code section 2762(b) in that
10 Respondent used alcohol in a manner dangerous or injurious to herself or others, as described in
11 paragraphs 10 and 11, above.

12 THIRD CAUSE FOR DISCIPLINE

13 (Alcohol Related Conviction)

14 14. Respondent is subject to disciplinary action under Code section 2762(c) in that
15 Respondent was convicted of a criminal offense involving the consumption of alcohol, as
16 described in paragraphs 10 and 11, above.

17 PRAYER

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
19 and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse License Number 257859, issued to Susan
21 Ridgely Ichikawa, aka Susan Ridgely Stallings, aka Susan Svendsgaard (Respondent);

22 2. Ordering Respondent to pay the Board of Registered Nursing the reasonable costs of
23 the investigation and enforcement of this case, pursuant to Business and Professions Code section
24 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: November 27, 2012

Stacie Ben
for

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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5 Attorneys for the Board of
Registered Nursing
6
7

8 BEFORE THE
9 BOARD OF REGISTERED NURSING
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation)	No. 79-7
12 Against:)	
13 SUSAN R. STALLINGS (SVENDSGAARD) R.N.)	PROPOSED DECISION
24 Anson Way)	PURSUANT TO
14 Kensington, California 94707)	STIPULATION
15 License No. C257859)	
16 Respondent.)	

17
18 Complainant MICHAEL R. BUGGY and Respondent SUSAN
19 STALLINGS by and through their respective counsel stipulate as
20 follows:

- 21 1. Respondent is fully apprised with the advice and
22 assistance of her counsel of the nature and severity of the
23 allegations set forth in the above accusation filed against her on
24 or about July 21, 1978 ;
- 25 2. Respondent is fully apprised, with the advice and
26 assistance of her counsel, of the fact that Complainant is prepared
27 to proceed to a hearing upon the merits of said Accusation on

1 December 18, 19, 1978;

2 3. Respondent is fully apprised, with the advice and
3 assistance of her counsel, that should Complainant prove at said
4 hearing, separately or severally, any one of the allegations set
5 forth in paragraphs six (6) and seven (7) of the Accusation, the
6 Board herein has the power and authority to discipline Respondent
7 by any of those methods provided under Business and Professions
8 Code section 2759;

9 4. Respondent is fully apprised, with the advice and
10 assistance of her counsel, that she has the right to defend herself
11 by presenting evidence in her behalf at said hearing; and

12 WHEREAS, Respondent is desirous of settling and expedit-
13 ing the resolution of the accusation pending against her by stipula-
14 tion and without a hearing, Respondent, with the advice and assist-
15 ance of her counsel further stipulates:

16 1. Respondent hereby waives any and all objections to
17 both the form and service of the Accusation;

18 2. Respondent hereby stipulates that the Accusation
19 sets forth facts separately and severally sufficient to state cause
20 for disciplinary action against her license No. C257859;

21 3. Respondent hereby waives her right to proceed to a
22 hearing upon the merits of the Accusation;

23 4. Respondent admits to the truth of the following
24 facts alleged in paragraph six (6) and seven (7) of the Accusation:

25 [Paragraph 6.] On or about April 2, 1978, while on duty
26 in her capacity as a registered nurse at the Kaiser Foundation
27 Hospital, 280 West MacArthur Boulevard, Oakland, California, the

1 Respondent made the following false and/or grossly incorrect and/or
2 grossly inconsistent entries in hospital medication and/or controlled
3 substance disposition records for patient JUSTIN P. GRAHAM:

4 (a) Although the doctor's order sheet
5 indicated no more than 15 mgm. Demerol
6 were to be administered every four hours,
7 the narcotics disposition record indicates
8 that respondent withdrew 75 mgm. at 2:00 p.m.
9 Although the 75 mgm. withdrawal was properly
10 charted as administered or wasted, the 100 mgm.
11 withdrawal was neither charted as wasted nor as
12 administered.

13 [Paragraph 7.] On or about May, 1977 through
14 October 1977, while on duty in her capacity as a registered nurse
15 at Merritt Hospital, Hawthorne Avenue and Webster Street, Oakland,
16 California, the Respondent made the following false and/or grossly
17 incorrect and/or grossly incorrect entries in hospital medication
18 and/or controlled substance disposition records:

19 (a) On May 23, 1977, at 7:30 p.m., Respondent
20 signed out on Controlled Drug Record for Meperidine
21 25 mgm. for patient MARGARET C. POMEROY. Patient
22 Medication Record for May 23, 1977 does not
23 indicate Respondent's initials and time indicating
24 the medication was administered.

25 (b) On August 20, 1977, at 10:15 p.m. Respondent
26 signed out on Controlled Drug Record for Morphine
27 Sulphate 10 mgm. for patient STEVE BARRY. Patient
Medication Record for August 20, 1977 does not
indicate Respondent's initials and time, indicating
the medication was administered.

(c) On September 19, 1977, at 4:30, 7:00, 9:00
and 11:00 p.m., Respondent signed out on Controlled
Drug Record for Morphine Sulphate 10 mgm. for
patient TERENCE DICKER. Patient Medication Record
for September 19, 1977 does not indicate Respondent's
initials and time for four administrations indicating
the medication was administered.

(d) On September 27, 1977, at 8:00 p.m., Respondent
signed out on Controlled Drug Record for Morphine
Sulphate 10 mgm. for patient FORREST BREHMER.

1 Patient Medication Record for September 27, 1977
2 does not indicate Respondent's initials and time
indicating the medication was administered.

3 (e) On October 10, 1977, at 10:40 p.m., Respondent
4 signed out on Controlled Drug Record for Morphine
Sulphate 10 mgm. for patient LAWRENCE C. BOWLAND.
5 Patient Medication Record for October 10, 1977
does not indicate Respondent's initials and time
6 indicating the medication was administered.

7 (f) On October 9, 1977, at 9:30 p.m., Respondent
8 signed out on Controlled Drug Record for Morphine
Sulphate 10 mgm. for patient LAWRENCE C. BOWLAND.
9 Patient Medication Record for October 9, 1977,
does not indicate Respondent's initials and time
indicating the medication was administered.

10 (g) On October 16, 1977, at 9:30 p.m., Respondent
11 signed out on Controlled Drug Record for Meperidine
100 mgm. for patient JOSEPH D. MOODIE. Patient
12 Medication Record for October 16, 1977 does not
indicate Respondent's initials and time indicating
the medication was administered.

13 (h) On October 25, 1977, at 4:00 p.m., Respondent
14 signed out on Controlled Drug Record for Morphine
Sulphate 10 mgm. for patient HILDA ALLARD. Patient
15 Medication Record for October 25, 1977 does not
16 indicate Respondent's initials and time indicating
the medication was administered;

17 5. Respondent stipulates that the facts set forth in
18 paragraph 4 above, constitute grounds for disciplinary action
19 pursuant to Business and Professions Code section 2762(e) (making
20 false and/or grossly incorrect and/or grossly inconsistent entries
21 in hospital records pertaining to narcotics and/or dangerous drugs.);

22 6. Respondent admits that on or about the times alleged
23 in the Accusation, Respondent had a brief and isolated drug abuse
24 incident; and

25 7. That pursuant to paragraphs 4, 5, and 6 above, the
26 parties hereto through their respective counsel stipulate that the
27 following penalty be imposed in the matter:

1 Respondent's license No. C257859 is revoked, but is
2 stayed for a period of three (3) years upon the following terms and
3 conditions:

4 (a) Respondent shall comply with all laws of the United
5 States and of the State of California and to its political sub-
6 divisions, and with the laws, rules, and regulations pertaining to
7 the practice of nursing in the State;

8 (b) Respondent shall fully and completely comply with
9 the Probation Program established by the Board, and cooperate with
10 representation of the Board;

11 (c) Respondent, during the period of probation shall
12 report in person to such meetings of the Board of Registered Nursing,
13 or its designated representatives, as directed;

14 (d) Respondent during the period of probation shall
15 submit such written reports and verification of actions as are
16 required by the Board ;

17 (e) Respondent, if she be employed in nursing at any
18 time during the period of probation shall have the employer submit
19 to the Board verification that the employer understands the con-
20 ditions of probation ;

21 (f) Respondent within (45) days of the effective date
22 of the Board's decision shall submit satisfactory evidence in
23 writing from a licensed physician that Respondent is both physically
24 and mentally capable of performing her professional duties as a
25 registered nurse. Respondent shall insure that her attending
26 physician knows the decision of the Board in this case and that the
27 attending physician shall make reference thereto in the written

1 statement to the Board;

2 (g) Respondent, at any time during the period of proba-
3 tion shall fully cooperate with the Board of Registered Nursing or
4 any of its agents or employees, in their supervision and investiga-
5 tion of her compliance with the terms and conditions of this proba-
6 tion; and shall, when requested, submit to such tests and samples as
7 the Board or its agents or employees may require for the detection
8 of alcohol, narcotics, hypnotics, dangerous drugs, or controlled
9 substances; and

10 (h) Respondent shall participate in an ongoing program
11 of rehabilitative counseling or psychiatric therapy with a psychia-
12 trist or mental health agency every six weeks for one year, or
13 until such time as the psychotherapist releases her from treatment.
14 Written progress reports from the therapist will be required semi-
15 annually, commencing 90 days from the effective date of the decision.

16 IT BEING FURTHER PROVIDED THAT:

17 1. The Board retains the power, after notice to respon-
18 dent and an opportunity to be heard, to determine that respondent
19 has during the period of stay herein provided violated the terms
20 and conditions thereof, separately or severally, and to vacate its
21 stay and made the revocation effective forthwith, or to make such
22 amendment to the terms thereof as it shall become permanent and
23 respondent's license fully restored;

24 2. Respondent shall have the right to petition the
25 herein Board for reduction of the aforementioned penalty, after a
26 period of not less than one year as provided by Government Code
27 section 11522;

1 3. Respondent has, with the advice and assistance of her
2 counsel of record, fully apprised herself of the contents of this
3 Stipulation, has entered into it freely and voluntarily with the
4 advice and assistance of counsel, and hereby waives any right to
5 administrative reconsideration or judicial appeal which she may now
6 have or hereafter acquire by virtue of this stipulation; and

7 4. The terms set forth herein shall be null and void,
8 and in no way binding upon the parties thereto, unless and until
9 approved by the Board of Registered Nursing.

10 DATED: December 19, 1978


11 Respectfully submitted,

12 EVELLE J. YOUNGER
13 Attorney General

14 
15 GAIL Y. NORTON
16 Deputy Attorney General

17 Attorneys for Complainant

18 DATED: December 5, 1978

19 
20 LOUIS C. CASTRO
21 Attorney for Respondent

1 I hereby certify that I have read this Stipulation in
2 its entirety, that my attorney of record has fully explained the
3 legal significance and consequences thereof, and that I fully
4 understand same. In witness thereof I affix my signature this
5 5 day of December, 1978, at
6 Oakland, California.

7
8
9 Susan Stallings
10 SUSAN STALLINGS
Respondent

11 The foregoing Stipulation is accepted as the Decision
12 of the Board of Registered Nursing.

13 This Decision shall become effective on the 10th day
14 of February, 1979.

15 IT IS SO ORDERED this 8th day of January
16 1979.

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18 BOARD OF REGISTERED NURSING
19 STATE OF CALIFORNIA

20 By Mary Ann Greydon RN
21 MARY ANN GREYDON, R.N.
22 Board President
23
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8 BEFORE THE
9 BOARD OF REGISTERED NURSING
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation)	No. 79-7
12 Against:)	<u>ACCUSATION</u>
13 SUSAN R. STALLINGS (SVENDSGAARD) R.N.)	
24 Anson Way)	
14 Kensington, California 94707)	
15 License No. C257859)	
16 Respondent.)	

17
18 COMES NOW Michael R. Buggy, who charges and alleges
19 as follows:

20 1. He is Executive Secretary of the Board of
21 Registered Nursing (hereinafter referred to as the "Board"),
22 and makes these charges and allegations in his official
23 capacity and not otherwise.

24 2. All section references are to the Business and
25 Professions Code except as otherwise specified.

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1 3. At all times herein material the respondent was
2 licensed by the Board as a registered nurse with the numerical
3 designation C257859.

4 4. "Demerol" is the trade name for the generic
5 synthetic narcotic of the pethidine group known as meperidine
6 hydrochloride, which substance is a Schedule II controlled durg
7 under Health and Safety Code section 11055 (c)(14), and a
8 dangerous drug as defined by Business and Professions Code
9 section 4211(k).

10 5. Morphine sulphate is a narcotic compound or
11 derivative of opium, a Schedule II controlled substance under
12 Health and Safety Code section 11055 (b)(1)(xiii), and a
13 dangerous drug as defined by Business and Professions Code
14 section 4211(k).

15 6. On or about April 2, 1978, while on duty in her
16 capacity as a registered nurse at the Kaiser Foundation Hospital,
17 280 West MacArthur Boulevard, Oakland, California, the respondent
18 made the following false and/or grossly incorrect and/or grossly
19 inconsistent entries in hospital medication and/or controlled
20 substance disposition records for patient JUSTIN P. GRAHAM:

21 (a) Although the doctor's order sheet
22 indicates no more than 15 mgm Demerol were
23 to be administered every four hours, the
24 narcotics disposition record indicates
25 that respondent withdrew 75 mgm. Demerol
at 1:00 p.m. and another 100 mgm. at 2:00 p.m.
Although the 75 mgm. withdrawal was properly
charted as administered or wasted, the 100 mgm.
withdrawal was neither charted as wasted nor
as administered.

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1 7. On or about May, 1977 through October, 1977,
2 while on duty in her capacity as a registered nurse at
3 Merritt Hospital, Hawthorne Avenue and Webster Street, Oakland,
4 California, the respondent made the following false and/or
5 grossly incorrect and/or grossly incorrect entries in hospital
6 medication and/or controlled substance disposition records:

7 (a) On May 23, 1977, at 7:30 p.m., respondent
8 signed out on Controlled Drug Record for Meperidine
9 25 mgm. for patient MARGARET C. POMEROY. Patient
10 Medication Record for May 23, 1977 does not
11 indicate respondent's initials and time indicating
12 the medication was administered.

13 (b) On August 20, 1977, at 10:15 p.m., re-
14 spondent signed out on Controlled Drug Record
15 for Morphine Sulfate 10 mgm. for patient
16 STEVE BARRY. Patient Medication Record for
17 August 20, 1977 does not indicate respondent's
18 initials and time, indicating the medication
19 was administered.

20 (c) On September 19, 1977, at 4:30, 7:00,
21 9:00 and 11:00 p.m., respondent signed out on
22 Controlled Drug Record for Morphine Sulfate
23 10 mgm. for patient TERENCE DICKER. Patient
24 Medication Record for September 19, 1977 does
25 not indicate respondent's initials and time for
26 four administrations indicating the medication
27 was administered.

 (d) On September 27, 1977, at 8:00 p.m., re-
spondent signed out on Controlled Drug Record
for Morphine Sulfate 10 mgm. for patient
FORREST BREHMER. Patient Medication Record
for September 27, 1977 does not indicate re-
spondent's initials and time indicating the
medication was administered.

 (e) On October 10, 1977, at 10:40 p.m., re-
spondent signed out on Controlled Drug Record
for Morphine Sulfate 10 mgm. for patient
LAWRENCE C. BOWLAND. Patient Medication
Record for September 27, 1977 does not indicate re-
spondent's initials and time indicating the
medication was administered.

//

1 (f) On October 9, 1977, at 9:30 p.m., re-
2 spondent signed out on Controlled Drug Record
3 for Morphine Sulfate 10 mgm. for patient
4 LAWRENCE C. BOWLAND. Patient Medication
Record for October 9, 1977 does not indicate re-
spondent's initials and time indicating the
medication was administered.

5 (g) On October 16, 1977, at 9:30 p.m., re-
6 spondent signed out on Controlled Drug Record
7 for Meperidine 100 mgm. for patient JOSEPH D.
8 MOODIE. Patient Medication Record for
October 16, 1977 does not indicate respondent's
initials and time indicating the medication was
administered.

9 (h) On October 25, 1977, at 4:00 p.m., re-
10 spondent signed out on Controlled Drug Record
11 for Morphine Sulfate 100 mgm. for patient
12 HILDA ALLARD. Patient Medication Record for
October 25, 1977 does not indicate respondent's
initials and time indicating the medication
was administered.

13 FIRST CAUSE FOR DISCIPLINARY ACTION

14 8. The allegations set forth at paragraphs six (6)
15 and seven (7) constitute ground, separately and severally, for
16 the Board to take disciplinary action against the license issued
17 to respondent pursuant to section 2762(e), in that respondent
18 made false and/or grossly incorrect and/or grossly inconsistent
19 entries in hospital records pertaining to narcotics as defined
20 in Division 10 of the Health and Safety Code and/or dangerous
21 drugs as defined in Division 2 of the Business and Professions
22 Code.

23 SECOND CAUSE FOR DISCIPLINARY ACTION

24 9. The allegations set forth at paragraphs six (6)
25 and seven (7) constitute ground, separately and severally, for
26 the Board to take disciplinary action against the license issued
27 to respondent pursuant to section 2761(a)(1), in that respondent

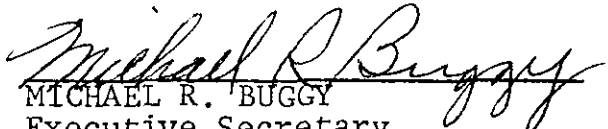
1 did thereby exhibit incompetence and/or gross negligence in
2 carrying out the usual nursing functions.

3 THIRD CAUSE FOR DISCIPLINARY ACTION

4 10. The allegations set forth at paragraphs six (6)
5 and seven (7) constitute ground, separately and severally, for
6 the Board to take disciplinary action against the license issued
7 to respondent pursuant to section 2762 (a), in that respondent did
8 obtain or possess in violation of law, and/or administer to
9 herself narcotics and/or dangerous drugs as hereinabove defined.

10 WHEREFORE, it is prayed that the Board exercise its
11 authority pursuant to sections 2761 and 2762, hold a hearing,
12 and take such action as it may deem appropriate.

13 DATED: July 21 1978
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16 
17 MICHAEL R. BUGGY
18 Executive Secretary
19 Board of Registered Nursing
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